

BC CAL KAL

BC CAL KAL Inland Port Development Corporation
Port of Battle Creek - Foreign-Trade Zone 43

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FOREIGN-TRADE ZONES BOARD

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September 24, 2010

CLERK OF THE
FOREIGN-TRADE ZONES BOARD

Andrew McGilvray
Executive Secretary
Foreign-Trade Zones Board
1401 Constitution Avenue, NW
Room 2111
Washington, DC 20230
Sent via electronic mail

Re: Foreign-Trade Zones Board Docket No. 20-2009 (Dow Corning – Kentucky) Rebuttal Comments

Dear Mr. McGilvray:

On behalf of BC CAL KAL Inland Port Development Corporation, grantee-designated operator of Foreign-Trade Zone No. 43 at the Port of Battle Creek, Michigan, we submit the following rebuttal comments.

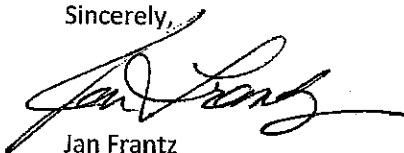
Our primary concern relates to the creation and retention of jobs in the United States. Foreign-Trade Zones are not villains to be associated with job loss. To the contrary, in Battle Creek's Fort Custer Industrial Park, the largest modern industrial park in Michigan, nearly 7,000 jobs have been created through foreign direct investment from Japan, Germany, Austria, Denmark and Scotland. Every foreign subsidiary cited the availability of the FTZ as among their site selection reasons. Furthermore, the companies in Fort Custer Industrial Park, whether domestic or foreign-owned, continue to provide jobs and expand operations. Many began on solid financial foundations by utilizing FTZ procedures. More than 400 contractors and 5,000 construction workers have been the beneficiaries of this industrial investment and growth.

It is our understanding that since 1991, FTZ Board policy has permitted materials subject to antidumping and countervailing duties to be admitted into Foreign-Trade Zones. It is also our understanding that such materials may also be entered into bonded warehouses, or under bond in temporary importation. Policy makers should not choose winners and losers for where such materials may enter the US under bonded conditions.

Dow is an important employer in Michigan. While we believe every federal program responsible for job loss should be vigorously scrutinized, Foreign-Trade Zones are not among the offenders.

We urge you to support the Dow Corning application.

Sincerely,



Jan Frantz
Executive Director